

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

In re

Petters Company, Inc., et al.,

Debtors.

**Jointly Administered under  
Case No. 08-45257**

Court File No. 08-45257

(includes:

Petters Group Worldwide, LLC;

PC Funding, LLC;

Thousand Lakes, LLC;

SPF Funding, LLC;

PL Ltd., Inc.;

Edge One LLC;

MGC Finance, Inc.;

PAC Funding, LLC;

Palm Beach Finance Holdings, Inc.)

Court File Nos.:

08-45258 (GFK)

08-45326 (GFK)

08-45327 (GFK)

08-45328 (GFK)

08-45329 (GFK)

08-45330 (GFK)

08-45331 (GFK)

08-45371 (GFK)

08-45392 (GFK)

Chapter 11 Cases  
Judge Gregory F. Kishel

Douglas A. Kelley, in his capacity as the court-  
appointed Chapter 11 Trustee of Debtors Petters  
Company, Inc. and PL Ltd., Inc.,

Plaintiff,

vs.

Westford Special Situations Master Fund, L.P.;  
Westford Global Asset Management, Ltd.; Westford  
Special Situations Fund, Ltd.; Westford Special  
Situations Fund, L.P.; Westford Asset Management,  
LLC; Epsilon Global Master Fund, L.P.; Epsilon Global  
Active Value Fund, Ltd.; Epsilon Global Active Value  
Fund I-B Ltd.; Epsilon Global Active Value Fund, L.P.;  
Epsilon Global Master Fund II, L.P. a/k/a Epsilon  
Global Master Fund II, L.P., Sub 1; Epsilon Global  
Active Value Fund II, Ltd., a/k/a Westford Investment  
Fund Ltd.; Epsilon Global Active Value Fund II-B Ltd.;  
Epsilon Global Active Value Fund II-G Ltd.; Epsilon  
Global Active Value Fund II, L.P.; Epsilon Global

ADV. NO. 10-04396

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Active Value Fund II-B, L.P.; Epsilon Global Active Value Fund II-G, L.P.; Epsilon Global Asset Management, Ltd.; Epsilon Investment Management, LLC; Epsilon Global Master Fund III — Structured Strategies, L.P.; Epsilon Global Active Value Fund HI Ltd.; Capital Strategies Fund Ltd.; Stafford Towne, Ltd.; and Steve Goran Stevanovich,

Defendants.

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**STIPULATION REGARDING BRIEFING SCHEDULE FOR IMPACT OF  
SUBSTANTIVE CONSOLIDATION UPON CERTAIN UNIQUE ISSUES  
SEEKING DISMISSAL OF ADVERSARY PROCEEDING**

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WHEREAS defendants Westford Special Situations Master Fund, L.P., Westford Special Situations Fund, Ltd., Westford Special Situations Fund, L.P., Epsilon Global Master Fund, L.P., Epsilon Global Active Value Fund, Ltd., Epsilon Global Active Value Fund, L.P., Epsilon Global Master Fund II, L.P., Epsilon Global Active Value Fund II, L.P.; Epsilon Global Active Value Fund II-B, L.P., Epsilon Global Master Fund III — Structured Strategies, L.P., Epsilon Structured Strategies Fund, Ltd., f/k/a Global Active Value Fund III Ltd., Epsilon Structured Strategies Fund, L.P. f/k/a Epsilon Global Active Value Fund III, L.P., Stafford Towne, Ltd.; Epsilon Global Asset Management, Ltd., Epsilon Investment Management, LLC, Westford Global Asset Management, Ltd., Westford Asset Management, LLC; and Steven Goran Stevanovich (collectively, “Defendants”), seek dismissal of this action on the grounds, among others, that the Trustee does not have standing to pursue this adversary action, said position commonly referred to as one of the “Unique Issues” that remains before the Court for briefing, argument and resolution; and

WHEREAS, the Court has calendared November 18, 2014 for oral argument on the issue of whether the Substantive Consolidation Order may resolve, and if so, to what extent, the Defendants’ challenge regarding standing; and

WHEREAS the parties to this stipulation wish to submit memoranda of law limited to the issue of whether, and/or the extent to which, the Substantive Consolidation Order resolves the Defendants' challenges regarding the Trustee's standing; and

WHEREAS the parties to this stipulation agree that the following briefing schedule may be ordered by the Court:

Trustee's Opening Memorandum: September 16, 2014

Defendants' Responsive Memoranda: October 14, 2014

Trustee's Reply Memorandum: October 28, 2014.

Dated: September 23, 2014	<b>LINDQUIST &amp; VENNUM LLP</b>  By: <u>/s/ James A. Lodoen</u> Daryle L. Uphoff (#0111831) James A. Lodoen (#0173605) Mark D. Larsen (#0318498) George H. Singer (#0262043) Kirstin D. Kanski (#0346676) Adam C. Ballinger (#0389058) 4200 IDS Center 80 South Eighth Street Minneapolis, MN 55402-2274 (612) 371-3211  <b>COUNSEL TO PLAINTIFF DOUGLAS A. KELLEY, CHAPTER 11 TRUSTEE</b>
Dated: September 23, 2014	<b>STINSON LEONARD STREET LLP</b>  By: <u>/s/ Bryant D. Tchida</u> Robert T. Kugler (#194116) Bryant D. Tchida (#0314298) 150 South Fifth Street Suite 2300 Minneapolis, MN 55402 Telephone: (612) 335-1645 Facsimile: (612) 335-1657 <a href="mailto:robert.kugler@leonard.com">robert.kugler@leonard.com</a>  <b>ATTORNEYS FOR DEFENDANTS</b>

**UNITED STATES BANKRUPTCY COURT**

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Westford Special Situations Master Fund, L.P.; Westford Global Asset Management, Ltd.; Westford Special Situations Fund, Ltd.; Westford Special Situations Fund, L.P.; Westford Asset Management, LLC; Epsilon Global Master Fund, L.P.; Epsilon Global Active Value Fund, Ltd.; Epsilon Global Active Value Fund I-B Ltd.; Epsilon Global Active Value Fund, L.P.; Epsilon Global Master Fund II, L.P. a/k/a Epsilon Global Master Fund II, L.P., Sub 1; Epsilon Global Active Value Fund II, Ltd., a/k/a Westford Investment Fund Ltd.; Epsilon Global Active Value Fund II-B Ltd.; Epsilon Global Active Value Fund II-G Ltd.; Epsilon Global Active Value Fund II, L.P.; Epsilon Global Active Value Fund II-B, L.P.; Epsilon Global Active Value Fund II-G, L.P.; Epsilon Global Asset Management, Ltd.; Epsilon Investment Management, LLC; Epsilon Global Master Fund III — Structured Strategies, L.P.; Epsilon Global Active Value Fund HI Ltd.; Capital Strategies Fund Ltd.; Stafford Towne, Ltd.; and Steve Goran Stevanovich,

Defendants.

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**CERTIFICATE OF SERVICE**

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Carmel Funk, of the City of St. Paul, County of Ramsey, State of Minnesota, states that on September 23, 2014 she served the following documents:

**1. STIPULATION REGARDING BRIEFING SCHEDULE FOR IMPACT OF SUBSTANTIVE CONSOLIDATION UPON CERTAIN UNIQUE ISSUES SEEKING DISMISSAL OF ADVERSARY PROCEEDING**

upon:

Epsilon Global Master Fund II, L.P. Maples and Calder PO Box 309, Ugland House South Church Street George Town Grand Cayman KY1-1104 Cayman Islands	Epsilon Global Active Value Fund II-G, Ltd. HWR Services Limited Craigmuir Chambers PO Box 71 Road Town, Tortola British Virgin Islands
Epsilon Global Master Fund III - Structured Strategies, L.P. HWR Services Limited Craigmuir Chambers PO Box 71 Road Town, Tortola British Virgin Islands	Epsilon Global Active Value Fund III Ltd. HWR Services Limited Craigmuir Chambers PO Box 71 Road Town, Tortola British Virgin Islands

via U.S. Mail to the addresses listed above and electronically by Notice of Electronic Filing upon all parties who have requested service in these cases by filing the same via ECF with the Bankruptcy Court in the District of Minnesota.

/e/ Carmel Funk  
Carmel Funk

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Fund Ltd.; Epsilon Global Active Value Fund II-B Ltd.;  
Epsilon Global Active Value Fund II-G Ltd.; Epsilon  
Global Active Value Fund II, L.P.; Epsilon Global  
Active Value Fund II-B, L.P.; Epsilon Global Active

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Value Fund II-G, L.P.; Epsilon Global Asset Management, Ltd.; Epsilon Investment Management, LLC; Epsilon Global Master Fund III — Structured Strategies, L.P.; Epsilon Global Active Value Fund HI Ltd.; Capital Strategies Fund Ltd.; Stafford Towne, Ltd.; and Steve Goran Stevanovich,

Defendants.

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**ORDER**

The above-entitled matter came before the undersigned on the Stipulation Regarding Briefing Schedule for Impact of Substantive Consolidation upon Certain Unique Issues Seeking Dismissal of Adversary Proceeding. Based upon all the files and records in this adversary proceeding,

IT IS HEREBY ORDERED that briefing regarding the impact of substantive consolidation upon certain unique issues will take place as follows:

Trustee's Opening Memorandum: September 16, 2014

Defendants' Responsive Memorandum: October 14, 2014

Trustee's Reply Memorandum: October 28, 2014

Dated: September \_\_, 2014

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Gregory F. Kishel  
Chief United States Bankruptcy Judge